

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION

LORI BORDOCK,

Plaintiff,

vs.

MARSHALL MANOR APARTMENTS,

Defendant.

*
*
*
*
*
*
*
*
*
*
*

No. 4:07cv001079 SWW

ORDER

By Memorandum and Order entered November 8, 2007, this Court dismissed for failure to state a claim the pro se complaint of Lori Bordock against Marshall Manor Apartments challenging certain conditions she states she endured when she was a resident there. The Court dismissed Bordock's complaint without addressing her request to be granted In Forma Pauperis status and without ordering issuance and service of process. *See Carney v. Houston*, 33 F.3d 893, 895 (8th Cir. 1994). Judgment was entered that same day.

The matter is now before the Court on motion of Bordock for leave to file an untimely appeal [doc.#14]. Bordock's motion was filed on February 14, 2008. Bordock previously filed a notice of appeal on December 13, 2007, but that notice prompted a letter from the Clerk of Court for the Eighth Circuit dated December 21, 2007, noting, among other things, that her notice of appeal appeared to be untimely and that she may remedy that situation with this Court pursuant to Rule 4 of the Federal Rules of Appellate Procedure. In this respect, Bordock was informed in the letter that her motion for an extension of time to file a notice of appeal must be filed within 30 days after expiration of the period for filing a timely notice of appeal. *See Fed.R.App.Pro.*

4(a)(5)(i). Here, Bordock's motion for an extension of time to file a notice of appeal was filed well beyond 30 days after expiration of the period for filing a timely notice of appeal. That being so, Bordock's motion for an extension of time to file a notice of appeal must be and hereby is denied.

IT IS SO ORDERED this 15th day of February 2008.

/s/Susan Webber Wright

UNITED STATES DISTRICT JUDGE